

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

|                           |   |           |
|---------------------------|---|-----------|
| UNITED STATES OF AMERICA, | ) |           |
|                           | ) | 8:06CR147 |
| Plaintiff,                | ) |           |
|                           | ) | ORDER     |
| vs.                       | ) |           |
|                           | ) |           |
| FERNANDO YBARRA,          | ) |           |
|                           | ) |           |
| Defendant.                | ) |           |

Defendant's Motion to Continue the plea hearing (Filing No. 17) is granted.

**IT IS ORDERED** that the Change of Plea hearing is continued to **October 11, 2006** at **10:00 a.m.** before Magistrate Judge Thomas D. Thalken, Courtroom No. 7, Second Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska.

For this defendant, the time between **August 29, 2006** and the **hearing** on the anticipated plea of guilty **is excluded** for purposes of computing the limits under the Speedy Trial Act. **See** 18 U.S.C. § 3161(h)(1)(I)&(h)(8)(A)(B).

Since this is a criminal case, the defendant must be present unless excused by the Court.

DATED this 29th day of August, 2006.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge